

SAGINAW CHIPPEWA INDIAN TRIBE TRIBAL COURT	PETITION FOR PERSONAL PROTECTION ORDER (DOMESTIC)	Case No.
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6954 East Broadway, Mount Pleasant MI 48858

(989) 775-4800

Petitioner's name, address and telephone no. Age/DOB _____ <input type="checkbox"/> Under 18 years	Respondent's name, address and telephone no. <div style="text-align: right;"><input type="checkbox"/> Under 18 years</div> <table border="1" style="width:100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width:10%;">Height</td> <td style="width:10%;">Weight</td> <td style="width:10%;">Race*</td> <td style="width:10%;">Sex*</td> <td style="width:10%;">DOB/ Age*</td> <td style="width:10%;">Hair</td> <td style="width:10%;">Eye</td> <td style="width:10%;">Other</td> </tr> </table>	Height	Weight	Race*	Sex*	DOB/ Age*	Hair	Eye	Other
Height	Weight	Race*	Sex*	DOB/ Age*	Hair	Eye	Other		

*These items about respondent **must** be filled in for the police/sheriff to enter on LEIN; the other items are not required, but are necessary for NCIC

1. The petitioner and respondent are family or household members as defined in SCIT Tribal Code Section 1.2402(2).
 Please choose an option below that best describes the relationship between petitioner and respondent:
 spouses or former spouses persons who are related by blood, adoption or marriage
 persons who have a child in common minor child residing in the household
 persons who are, or previously were involved in a romantic, dating, or other intimate personal relationship, regardless of the formality of this relationship
 Caretaker and vulnerable adult, including adults unable to protect themselves from abuse, neglect, or exploitation

2. The petitioner is American Indian: No Yes
 Tribal Affiliation, if known: _____ . Tribal ID # _____
 The Respondent is American Indian: No Yes
 Tribal Affiliation, if known: _____ . Tribal ID # _____

3. The action(s) alleged did did not occur on the Isabella Indian or Saganing reservation.
 a. Prior violations and/or convictions, and /or reports of incident(s) did did not occur on the Isabella Indian or Saganing reservations.

4. There are are not orders/judgements entered by this or any other court regarding the parties.

Case No.	Name of court and tribe/state/province	Name of Judge

5. The petitioner does does not reside on tribal lands/jurisdiction.

6. The respondent does does not reside on tribal lands/jurisdiction.
 his/her residence is unknown.

7. The respondent has a concealed firearm carry permit or is required to carry a firearm in the course of his/her employment at _____. OR It is unknown if respondent is allowed or required to carry a firearm.

8. I am requesting a Personal Protection Order because: (Explain as much detail as possible actions from respondent and why you believe a family violence, sexual assault, or child/vulnerable adult abuse has or will occur. *(attach additional sheets if necessary)*)

9. I make this petition pursuant to SCIT Tribal Code Section 1.2414(1), and I ask the court to grant a personal protection order as provided in SCIT Tribal Code Section 1.2414(2), prohibiting the respondent from the following:

- a) entering onto the property where I live. I state that either I have a property interest in the premises, I am married to the respondent, or the respondent has no property interest in the premises.
- b) entering onto the property at _____.
- c) committing any acts of family violence as defined in SCIT Tribal Code Section 1.2402(1), assaulting, attacking, beating, molesting, wounding, or intimidating _____.
- d) removing the minor children from the petitioner who has legal custody, except as allowed by a custody or parenting time order as long as removal of the children does not violate other conditions of the personal protection order. (Please attach any applicable custody and/or parenting time order)
- e) stalking as defined under SCIT Tribal Code Section 1.2402(6), which includes but is not limited to:
 - following me or appearing within my sight. appearing at my workplace or residence.
 - sending mail or other communications to me. contacting me by telephone.
 - approaching or confronting me in a public place or on private property.
 - entering onto or remaining on property owned, leased, or occupied by me.
 - placing an object on or delivering an object to property owned, leased, or occupied by me.
 - keeping, failing to return, or hiding from me/victim the keys or other instruments that are necessary to maintain the security of my/victims home
 - keeping, failing to return, or hiding important records or financial instruments that belong to me/victim/children.
 - Posting information and/or images on social media or other forms of communication with the intent to harass, annoy, intimidate, or embarrass me/victim and/or children, whether or not the petitioner has access to the information posted.
 - Injuring, killing, torturing, or neglecting, or threatening to injure, kill, torture, or neglect any animal in which I have an ownership interest.
 - retaining or obtaining possession of any animal in which I have an ownership interest.
 - purchasing or possessing a firearm.
 - other: _____

10. I request an ex parte order because immediate and irreparable injury or damage will occur between now and a hearing or because notice itself will cause irreparable injury, loss, or damage before the order can be entered. Explain why an ex-parte order is needed. *(attached additional sheets if necessary)*

11. If the court does not grant this petition ex parte, I do do not want to proceed with the petition. I understand that if I proceed with the petition, the court will hold a hearing and all parties will be notified.

12. I have a next friend petition for me. I certify that the next friend is not disqualified by statute and is an adult.

I declare that the statements above are true to the best of my information, knowledge and belief.

Date

Petitioner's/Next Friend's Signature

**INSTRUCTIONS FOR COMPLETING “PETITION FOR PERSONAL PROTECTION ORDER”
(DOMESTIC RELATIONSHIP)**

Saginaw Chippewa Tribal Court

If you are experiencing domestic violence from a family or household member you may be entitled to a Personal Protection Order (PPO). A PPO is intended to provide protection for a person who is experiencing harm or threats of harm from a person with whom that person has or had a relationship.

If you do not share a family or household relationship with the other person, please ask for a Non-Domestic PPO instruction sheet.

To request a PPO from the Tribal Court, you must first complete a **Petition for Personal Protection Order.**

By filling out a petition for Personal Protection Order, you are asking the Tribal Court to issue an order prohibiting the other person (the “respondent”) from doing certain things, such as making any contact with you and your family, coming near your personal residence or workplace, contacting you through third parties, making threats or harming you in any way, or causing damage to your property. If a protection order is issued and later violated by the respondent, he/she may be subject to arrest and other sanctions, including imprisonment.

By law, a personal protection order may only be issued if certain requirements are met.

Under Saginaw Chippewa Tribal law, Family Violence means “any act which is intended to harm or intimidate a family or household member, either directly or indirectly, but does not include acts of self-defense.” Tribal Code Section 1.2402(1). Such acts include, but are not limited to assault, battery, sexual assault, and stalking.

The Court requires an affidavit that sets out facts constituting reasonable cause to believe that the family or household member may commit family violence, sexual assault, or stalking. Describe the most recent acts of violence against you by the respondent. Also include every incident that may have occurred in the past where you felt threatened or have been hurt. This can be multiple incidents over a period of time, including non-physical acts that caused fear. It is helpful to include descriptive and specific language about the violence you have experienced, including discussion of your feelings of fear.

If you are in immediate danger, you should ask the judge for an “Ex-Parte” Order, which means that the personal protection order could be issued without waiting for a hearing. With an ex parte order, the respondent won’t know you’re asking for a PPO until after you get your order.

Completing the Petition for Personal Protection Order

Items (A -C) 1 through 11, must be completed before a petition for Personal Protection Order can be filed.

**A tribal victim advocate is available to answer any questions and to assist you to complete and file the Petition.

Victim advocates telephone number: **(989) 775-4814 or (989) 775-4810 Mon.-Friday 8-5pm. After hours, please contact Tribal Police (989) 775-4700.**

Please read the instructions for each item and fill in the information on the form as accurately and thoroughly as possible. Please print neatly.

- A. Write your name, address, and phone number in the “Petitioner” box. If you are under 18 years of age, write your age. Write the name, address, and phone number of the person you want restrained in the “Respondent” box; if he/she is under 18 years of age, write his/her age. **If you want your address and phone number to be kept from the respondent, do not write your address.** Ask for a separate confidential address form.
- B. Please provide as much identifiers necessary. This information is utilized for the Law Enforcement agencies computer entry.

- 1): Check the option that best represents your relationship with the respondent.
- 2): Indicate whether the petitioner and respondent are American Indian and the Tribal affiliation, if known.
- 3): Indicate whether any of the actions alleged occurred on or off the Isabella or Saganing reservation lands.
 - a. Indicate whether any of the prior offenses/violations occurred on or off the Isabella or Saganing reservation lands.
- 4): Indicate whether or not there are any pending or resolved court cases between you and the respondent.
If there are, please note the case number, the name of the court and tribe/state/province, and judge's name.
- 5): Check the box to indicate whether or not you reside on tribal land.
- 6): Check the box to indicate whether or not the respondent lives on tribal land. If you don't know, check "his/her residence is unknown."
- 7):* Check if the respondent has a concealed firearm carry permit and/or is required by law to carry a firearm while at work. If unsure, check "unknown."
- 8): Explain thoroughly and in as much detail as possible why you are asking for a PPO. Describe what has happened so that the judge has enough facts to decide if an order should be signed. Describe any previous/separate instances of abuse, threats, or any other acts that caused you to feel terrorized, frightened, intimidated, threatened, harassed, or molested. Include dates and places. You may also include previous police reports if you have a copy. Police reports are **NOT** required to petition for a personal protection order. Write on a separate sheet of paper and attach it to this form if necessary. A tribal victim advocate is available to answer any questions and to assist you complete and file the Petition. You may contact them at: **(989) 775-4814 or (989)775-4810. Mon-Friday 8-5pm. After hours: Contact Tribal Police at (989) 775-4700.**
- 9): Check the boxes (a-l) next to the protections you want included in the PPO and fill in any blank spaces with the required information. Include in your written explanation to the judge why you need these protections. If checking box (d) Include applicable child custody and/or parenting time court orders with the petition.
- 10): Check the box requesting an "ex parte order" if you believe the respondent might hurt you between now and the time a hearing may be granted, or if you think that the respondent might hurt you when he or she is given notice of a scheduled hearing. An "ex parte order" means you do not have to let the other party know in advance that you are asking the court for an order and you do not have to wait for a court hearing to get an order. Explain in the space provided why you need an ex-parte order.
(attach additional sheets if necessary)

If you are granted the ex parte order, the respondent has 14 days to request a hearing. You and the respondent will need to be present at this hearing. If you request an ex parte order and the judge denies it, the court will schedule a hearing on your petition. Make sure to check one of the boxes to let the court know what you want to happen if the ex parte order is denied.

- 11): If someone other than the victim is filing this petition, check the box that a "next friend" is filing for the petitioner.

C. Write in today's date and sign the form. If someone other than the victim is filing the form, that person should sign the form.

When form is completed, provide it to the tribal court clerk who will file stamp and copies will be provided. A Judge will review and if signed, you will be provided a signed copy of the court order in person or by mail. Whichever method is preferred.